

**FISCAL YEAR 2017**

**TRULY AGREED AND FINALLY PASSED**  
**(AFTER VETO)**

**PUBLIC DEFENDER**

**HOUSE BILL 2012**

**Vetoed: None**

**98<sup>th</sup> General Assembly**  
**Second Regular Session**

*Prepared by Senate Appropriations Committee Staff*

**Public Defender Commission - Director's Office/Legal Services - Section 12.400**

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The Director's Office is responsible for centralized administration and coordination of resources, planning functions, fiscal processing, personnel functions, data processing support, conflict case transfers, collection of lien and recoupment monies and other support functions.

**Legal Base:** Chapter 600 RSMo  
**Funding Source:** General Revenue  
**FY 2016 Withhold:** None

**CORE ADJUSTMENTS:**

**DEPARTMENT:**

No Changes

**GOVERNOR:**

No Changes

**HOUSE:**

No Changes

**SENATE:**

No Changes

**CONFERENCE:**

No Changes

Committee Markup Annual

HB 2012 - OFFICE OF THE PUBLIC DEFENDER

Regular House Bills

	FY 2015		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		Regular House Bills	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		TRULY AGREED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
CORE														
PERSONAL SERVICES	27,850,097	580.62	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13
GENERAL REVENUE	27,850,097	580.62	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13
EXPENSE & EQUIPMENT	5,196,504	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00
GENERAL REVENUE	5,196,504	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00
TOTAL	\$33,046,601	580.62	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13

Pay Plan - 0000012

PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	575,571	0.00	575,571	0.00	575,571	0.00	575,571	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	575,571	0.00	575,571	0.00	575,571	0.00	575,571	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$575,571	0.00	\$575,571	0.00	\$575,571	0.00	\$575,571	0.00

General Structure Adjustment for all state employees. Governor recommends 2% for FY2017.

Constitutionally Mandated Repr - 1151001

PERSONAL SERVICES	0	0.00	0	0.00	16,159,056	344.00	0	0.00	0	0.00	542,880	10.00	542,880	10.00
GENERAL REVENUE	0	0.00	0	0.00	16,159,056	344.00	0	0.00	0	0.00	542,880	10.00	542,880	10.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	6,974,888	0.00	1,000,000	0.00	4,000,000	0.00	3,957,120	0.00	3,957,120	0.00

Committee Markup Annual

HB 2012 - OFFICE OF THE PUBLIC DEFENDER

Regular House Bills

	FY 2015		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		Regular House Bills	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		TRULY AGREED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Constitutionally Mandated Repr - 1151001														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	6,974,888	0.00	1,000,000	0.00	4,000,000	0.00	3,957,120	0.00	3,957,120	0.00
GENERAL REVENUE	0	0.00	0	0.00	6,974,888	0.00	1,000,000	0.00	4,000,000	0.00	3,957,120	0.00	3,957,120	0.00
TOTAL	\$0	0.00	\$0	0.00	\$23,133,944	344.00	\$1,000,000	0.00	\$4,000,000	0.00	\$4,500,000	10.00	\$4,500,000	10.00

Funding will provide caseload relief to the Public Defender System.

Comprehensive Compensation Str - 1151002														
PERSONAL SERVICES	0	0.00	0	0.00	1,101,929	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	1,101,929	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$1,101,929	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Juvenile Advocacy - 1151003														
PERSONAL SERVICES	0	0.00	0	0.00	896,832	19.50	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	896,832	19.50	0	0.00	0	0.00	0	0.00	0	0.00

## Committee Markup Annual

## HB 2012 - OFFICE OF THE PUBLIC DEFENDER

## Regular House Bills

	FY 2015		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
OFFICE OF THE DIRECTOR - 15111C														
Juvenile Advocacy - 1151003														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	173,985	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	173,985	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$1,070,817	19.50	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

Cyber Security, Mobility WAN - 1151004														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	461,260	0.00	0	0.00	0	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	461,260	0.00	0	0.00	0	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$461,260	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00

<b>TOTAL - OFFICE OF THE DIRECTOR</b>	<b>\$33,046,601</b>	<b>580.62</b>	<b>\$32,700,939</b>	<b>585.13</b>	<b>\$58,468,889</b>	<b>948.63</b>	<b>\$34,276,510</b>	<b>585.13</b>	<b>\$37,276,510</b>	<b>585.13</b>	<b>\$37,776,510</b>	<b>595.13</b>	<b>\$37,776,510</b>	<b>595.13</b>
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**Public Defender Commission – Grants - Section 12.400**

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This section provides appropriation authority if grants are received from the federal government.

**Legal Base:** Chapter 600 RSMo

**Funding Source:** Federal Funds

**FY 2016 Withhold:** None

**CORE ADJUSTMENTS:**

**DEPARTMENT:**

No Changes

**GOVERNOR:**

No Changes

**HOUSE:**

No Changes

**SENATE:**

No Changes

**CONFERENCE:**

No Changes

Committee Markup Annual

HB 2012 - OFFICE OF THE PUBLIC DEFENDER

Regular House Bills

	FY 2015		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		Regular House Bills	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		TRULY AGREED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
GRANTS - 15131C														
CORE														
PROGRAM-SPECIFIC	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
FEDERAL FUNDS	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
TOTAL	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00

TOTAL - GRANTS	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00
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**Public Defender Commission – Legal Defense and Defender Fund - Section 12.400**

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This section reflects personal services and expense and equipment requested and recommended from the Legal Defense Fund (funds collected from the indigent).

**Legal Base:** Chapter 600 RSMo

**Funding Source:** Legal Defense and Defender Fund

**FY 2016 Withhold:** None

**CORE ADJUSTMENTS:**

**DEPARTMENT:**

Core Reallocation: (\$35,000) Legal Defense and Defender Fund authority from PSD to E&E

**GOVERNOR:**

No Changes

**HOUSE:**

No Changes

**SENATE:**

No Changes

**CONFERENCE:**

No Changes



Committee Markup Annual

HB 2012 - OFFICE OF THE PUBLIC DEFENDER

Regular House Bills

	FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REQ		GOV AS AMENDED REC		HOUSE RECOMMENDED		SENATE RECOMMENDED		TRULY AGREED FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE

HOUSE BILL SECTION 12.400

LEGAL DEFENSE & DEFENDER FUND - 15141C

CORE														
PERSONAL SERVICES	131,826	1.94	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00
OTHER FUNDS	131,826	1.94	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00
EXPENSE & EQUIPMENT	1,482,918	0.00	2,765,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00
OTHER FUNDS	1,482,918	0.00	2,765,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00
PROGRAM-SPECIFIC	18,979	0.00	85,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00
OTHER FUNDS	18,979	0.00	85,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00
TOTAL	\$1,633,723	1.94	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00

Core Reallocations-To align appropriations & FTE with estimated expenditures.

Pay Plan - 0000012														
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	2,650	0.00	2,650	0.00	2,650	0.00	2,650	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	2,650	0.00	2,650	0.00	2,650	0.00	2,650	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$2,650	0.00	\$2,650	0.00	\$2,650	0.00	\$2,650	0.00

General Structure Adjustment for all state employees. Governor recommends 2% for FY2017.

TOTAL - LEGAL DEFENSE & DEFENDER FUN	\$1,633,723	1.94	\$2,983,293	2.00	\$2,983,293	2.00	\$2,985,943	2.00	\$2,985,943	2.00	\$2,985,943	2.00	\$2,985,943	2.00
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**Public Defender Commission – Extraordinary Expenses and Conflict Cases - Section 12.400**

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This section provides funding for three main types of expenses: payments of expenses associated with the defense or violent crimes, litigation expenses exceeding \$500, and expenses of contracting with private counsel in conflict cases.

In FY2015 the Public Defender Commission contracted with private counsel for representation in 3,791 cases.

**Legal Base:** Chapter 600 RSMo

**Funding Source:** General Revenue

**FY 2016 Withhold:** None

**CORE ADJUSTMENTS:**

**DEPARTMENT:**

No Changes

**GOVERNOR:**

No Changes

**HOUSE:**

No Changes

**SENATE:**

No Changes

**CONFERENCE:**

No Changes

Committee Markup Annual

HB 2012 - OFFICE OF THE PUBLIC DEFENDER

Regular House Bills

	FY 2015		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		Regular House Bills	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		TRULY AGREED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
EXTRAORDINARY EXPENSE/CONFLIC - 15151C														
CORE														
EXPENSE & EQUIPMENT	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00
GENERAL REVENUE	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00
TOTAL	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00

TOTAL - EXTRAORDINARY EXPENSE/CONFLI	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00
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**Public Defender Commission – Debt Offset Escrow - Section 12.400**

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This section authorizes State Public Defender to intercept Missouri State Income Tax refund checks due to individuals who owe the Missouri State Public Defender System monies for representation.

**Legal Base:** Chapter 600 RSMo

**Funding Source:** Escrow Account between the Taxpayer and the Dept of Revenue for Missouri State Public Defender Income Tax Interceptions

**FY 2016 Withhold:** None

**CORE ADJUSTMENTS:**

**DEPARTMENT:**

No Changes

**GOVERNOR:**

No Changes

**HOUSE:**

No Changes

**SENATE:**

No Changes

**CONFERENCE:**

No Changes

Committee Markup Annual

HB 2012 - OFFICE OF THE PUBLIC DEFENDER

Regular House Bills

	FY 2015		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
DEBT OFFSET ESCROW FUND - 15161C														
CORE														
PROGRAM-SPECIFIC	929,322	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00
OTHER FUNDS	929,322	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00
TOTAL	\$929,322	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00

TOTAL - DEBT OFFSET ESCROW FUND	\$929,322	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00
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**Public Defender Commission – Conflict Cases - Section 12.400 – New Decision Item**

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This section provides funding for the expenses of contracting with private counsel in conflict cases.

**Legal Base:** Chapter 600 RSMo  
**Funding Source:** General Revenue  
**FY 2016 Withhold:** N/A

**CORE ADJUSTMENTS:**

**DEPARTMENT:**

No Request

**GOVERNOR:**

No Recommendation

**HOUSE:**

New Decision Item Request

**SENATE:**

New Decision Item NOT Recommended

**CONFERENCE:**

Senate Position

Committee Markup Annual

HB 2012 - OFFICE OF THE PUBLIC DEFENDER

Regular House Bills

	FY 2015		FY 2016		FY 2017		GOV AS		HOUSE		SENATE		TRULY AGREED	
	ACTUAL		BUDGET		DEPT REQ		AMENDED REC		RECOMMENDED		RECOMMENDED		FINALLY PASSED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400														
CONFLICT CASE MANAGEMENT - 15171C														
Constitutionally Mandated Repr - 1151001														
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	500,000	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	500,000	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$500,000	0.00	\$0	0.00	\$0	0.00

Funding will provide caseload relief to the Public Defender System.

TOTAL - CONFLICT CASE MANAGEMENT	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$500,000	0.00	\$0	0.00	\$0	0.00
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